

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mark E. Duggan

Serial No. 10/550,968

Filed: September 26, 2005

For: BENZAMIDE MODULATORS OF METABOTROPIC  
GLUTAMATE RECEPTORS

Art Unit: 1621

Examiner: \_\_\_\_\_

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention.

In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK &amp; CO., INC.

By J. Guio Date 6 Sept. 2007



## INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

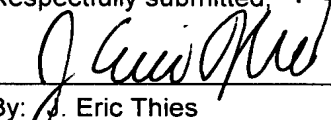
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☒ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: J. Eric Thies

Attorney \_\_\_\_\_ For Applicant(s)

Reg. No. 35,382

MERCK & CO., INC.

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P.O. Box 2000

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Date: September 6, 2007

## STATEMENT BY APPLICANT

SEP 10 2007

(use ~~as~~ many sheets as necessary)

**COMPLETE IF KNOWN**

<b>Application Number</b>	10/550,968
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<b>Filing Date</b>	September 26, 2005
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<b>First Named Inventor</b>	Mark E. Duggan
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Group Art Unit	1621
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Examiner Name

Attorney Docket Number	21298P
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of

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[illegible][illegible]Date  
Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., 06/28/2007

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE</b>  <b>STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>COMPLETE IF KNOWN</b>		
			Application Number	10/550,968	
			Filing Date	September 26, 2005	
			First Named Inventor	Mark E. Duggan	
			Group Art Unit	1621	
			Examiner Name		
Sheet	2	of	2	Attorney Docket Number	21298P

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
		Chemical Abstracts Service, Columbus Ohio, US; XP002438782, retrieved from STN Accession No. 1962:12809, Database Accession No. 56:12809, RNs: 93323-83-2 and 98742-49-5.
		J. A. O'Brien et al., "A Novel Selective Allosteric Modulator Potentiates the Activity of Native Metabotropic Glutamate Receptor Subtype 5 in Rat Forebrain" J. of Pharmacology and Experimental Therapeutics, 2004, Vol. 309, No. 2, pgs. 568-577.
		Database Beilstein, Beilstein Institute for Organic Chemistry, Frankfurt-Main, DE; XP002438783, Database Accession No. BRN:3376420.
		Database Beilstein, Beilstein Institute for Organic Chemistry, Frankfurt-Main, DE; XP002438784, Database Accession No. BRN:344532.
		Database Beilstein, Beilstein Institute for Organic Chemistry, Frankfurt-Main, DE; XP002438785, Database Accession No. BRN:3461782.
		Database Beilstein, Beilstein Institute for Organic Chemistry, Frankfurt-Main, DE; XP002438786, Database Accession No. BRN:2731365.
		Database Beilstein, Beilstein Institute for Organic Chemistry, Frankfurt-Main, DE; XP002438787, Database Accession No. BRN:2809287.

Examiner Signature		Date Considered	
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